## UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

IN RE: CIRCUIT CITY STORES, INC., et al.,
) Case No. 08-35653-KRH
Debtors.
) Jointly Administered
) Chapter 11 Proceedings

## AMENDED NOTICE OF MOTION AND NOTICE OF HEARING

PLEASE TAKE NOTICE that Port Arthur Holdings, III, LTD (the "Landlord"), by and through counsel, has filed with the Court a Motion for an Order Compelling Debtors to Immediately Pay Post-Petition Rent and Other Related Charges Pursuant to 11 U.S.C. § 365(d)(3) and Granting Related Relief (the "Motion").

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then on or before <a href="December 18, 2008">December 18, 2008</a>, you or your attorney must:

1. File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H)(3)(C). If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

William C. Redden, Clerk of Court United States Bankruptcy Court Eastern District of Virginia, Richmond Division 701 E. Broad Street, Suite 4000 Richmond, VA 23219

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(202) 457-1600 – telephone

Counsel for Port Arthur Holdings, III, LTD

You must also mail a copy to:

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Counsel for Port Arthur Holdings, III, LTD

2. If you object to or oppose the Motion, you must file your objection or response timely with the Court and attend a hearing scheduled for **December 22, 2008**, at 1:00 p.m. at the United States Bankruptcy Court located at 701 East Broad Street, Suite 4000, Richmond, Virginia, in Judge Huennekens' Courtroom, in addition to filing a written objection or response to the Motion. If you fail to timely file a written response and to attend the hearing, the Court may consider any objection you have waived, and enter an order granting the relief requested in the Motion without holding a hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the *Motion* and may enter an Order granting that relief.

## **NOTICE**

Under *Local Bankruptcy Rule* 9013-1, unless a written response to the *Motion* is filed with the Clerk of Court and served on the moving party within two (2) business days prior to the **December 22**, 2008 hearing date, or on or before **December 18**, 2008, objecting to the relief requested, the Court may deem any opposition waived, treat the *Motion* as conceded, and issue an Order granting the requested relief without further notice or hearing.

Dated: December 17, 2008

Respectfully submitted,

JACKSON & CAMPBELL, P.C.

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion has been served on the parties receiving electronic notice via the Court's CM/ECF system, as appropriate, by electronic means and by First Class Mail (postage prepaid) on the following attached Service List and on the following parties via US regular mail, on this the 17<sup>th</sup> day of December, 2008.

Circuit City Stores, Inc. Attn: Reginald D. Hedgebeth Attn: Daniel W. Ramsey 9950 Maryland Drive Richmond, Virginia 23233

Debtors

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